

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

**JUDGMENT IN A CIVIL CASE**

**ROBERT PHILLIPS**

Plaintiff

vs.

**CASE NUMBER: 6:11-CV-1027 (NAM/DEP)**

**HSBC BANK USA NA**

Defendant

**Decision by Court.** This action came to hearing before the Court.  
The issues have been heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

The Report and Recommendation of Magistrate Judge David E. Peebles is ADOPTED in its entirety, the Complaint is DISMISSED without prejudice for failure to timely comply with this court's order and failure to pay the filing fee.

All of the above pursuant to the order of the Honorable Chief Judge Norman A. Mordue, dated the 2<sup>nd</sup> day of December, 2011.

DATED: December 5, 2011

  
Clerk of Court

s/

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Joanne Bleskoski  
Deputy Clerk